

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-506)

In the Application of:

Berwaer et al.

Serial No.: 10/537,553

Filing Date: June 3, 2005

For: Tablet Comprising Efetirizine and  
Pseudoephedrine

Examiner: TBD

Group Art Unit: TBD

Confirmation No.: 4693

TRANSMITTAL LETTER

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

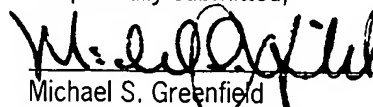
- a) Copy of Notice to File Missing Requirements;
- b) Response to Notice to File Missing Requirements;
- c) Declaration and Power of Attorney; and
- d) Return receipt postcard.

2. With respect to fees:

- a) A check in the amount of \$ 130.00 is enclosed.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, MailStop PCT, P.O. Box 1450, Alexandria, VA 22313-1450 on January 12, 2006.

Respectfully submitted,



Michael S. Greenfield  
Registration No. 37,142

Date: January 12, 2006

01/19/2006 GFREY1 00000050 10537553

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130.00 0P

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive  
Chicago, IL 60606  
(312)913-0001



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,553	Monique Berwaer	05-506

020306  
 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
 300 S. WACKER DRIVE  
 32ND FLOOR  
 CHICAGO, IL 60606

INTERNATIONAL APPLICATION NO.	
PCT/EP03/12627	
I.A. FILING DATE	PRIORITY DATE
11/12/2003	12/06/2002

CONFIRMATION NO. 4693  
 371 FORMALITIES LETTER



\*OC000000017551961\*

Date Mailed: 12/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/03/2005
- Copy of the International Search Report filed on 06/03/2005
- Preliminary Amendments filed on 06/03/2005
- U.S. Basic National Fees filed on 06/03/2005
- Priority Documents filed on 06/03/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**DOCKETED**

DEC 06 2005

DUE DATE: 2-1-06  
 BY: *[Signature]*

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,553	PCT/EP03/12627	05-506

FORM PCT/DO/EO/905 (371 Formalities Notice)

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RESPONSE TO NOTICE OF MISSING REQUIREMENTS

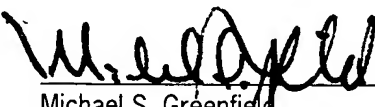
MAILSTOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements, applicants submit herewith an executed combined  
Declaration and Power of Attorney.

Respectfully submitted,

Date: January 12, 2006

  
Michael S. Greenfield  
Registration No. 37,142

Telephone: 312-913-0001  
Facsimile: 312-913-0002

**McDonnell Boehnen Hulbert & Berghoff LLP**  
300 South Wacker Drive  
Chicago, IL 60606

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Mailstop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, on January 12, 2006.

Date: January 12, 2006

  
Michael S. Greenfield